

WHATEVER SIGN IT TO-DAY.

The Corporation Counsel Says He Will Be Delighted to Approve the Rapid Transit Contract in Its Amended Form.

PRINCIPAL FEATURES OF THE NEW UNDERGROUND RAPID TRANSIT PLAN.

Road to be finished in three years.
The road to extend from City Hall to Kingsbridge on the West Side and to Bronx Park on the East Side.
The entire cost to be about \$85,000,000.
The ownership to be vested in the city.
The road to be leased for fifty years to the builders.
Provision to be made for carrying small parcels.
Express trains to run at all hours of the day.
Stations to be at street corners.
The tunnel to be an average of twenty-five feet below the street surface.
Fares to be limited to five cents.
The contractors to furnish bond for \$15,000,000 to guarantee the completion of the work.
The laborers to be hired under the recently enacted labor law.
Condemnation proceedings to be conducted by the Corporation Counsel.

The realization of rapid transit in New York is no longer a consummation to be merely dreamed of. The Corporation Counsel will probably approve to-day the contract for the building of the tunnel.

This means that the commissioners will advertise for bids at once, that within thirty days the award will be made, and that before the first of January work upon the underground road will be begun.

All day long the experts in Counsel Edward M. Shepard's office worked upon the final draft of the contract. It had gone to the printer early in the morning for final correction, and every word had then to be assessed most carefully to insure accuracy.

This morning the contract will be sent to Corporation Counsel John Whalen, who must approve it before it can be effective. Mr. Whalen is already aware of the provisions of the document, and he said yesterday that he would sign the contract forthwith, upon its reception from the Rapid Transit Board.

Mr. Shepard, counsel for the Rapid Transit Commissioners, who has spent years of time and study upon the complicated questions involved in the great plan, and who, with the other commissioners, has suffered repeated disappointments and annoyances concerning it, said yesterday as he left his office:

A Certainty at Last.

"Rapid transit seems at last a certainty. The contract has been finished. Tomorrow it goes to the Corporation Counsel. We do not contemplate any impediments from city officials.

"If Corporation Counsel Whalen approves that contract no legal obstacles can prevent it from accomplishing the end at which it aims." When asked if there is any possibility that the suggested injunctions which H. Morrell and others desire to obtain could operate as effective obstacles against the plan Mr. Shepard said:

"No, sir, it is not possible that any injunction proceedings or other legal moves can prevent the carrying out of this plan, once it is approved by the Corporation Counsel."

If Corporation Counsel Whalen approves the contract to-day it will be returned immediately to the Rapid Transit Commissioners. They will then advertise for bids for the work. A number of minor amendments have been inserted in the revised form of the contract, in order to make it as attractive as possible to bidders, while at the same time it observes a due regard for the city's interests.

It is likely that these bids will be required within thirty days after the date of the first advertisement. The award can then be made by the Rapid Transit Board without further formality. If none of the bids suit the Commissioners, new offers may be called for until satisfactory offers are obtained.

When the award is made the contractors must give a bond for \$14,000,000 to secure the completion of the work, and an additional bond of \$1,000,000 to continue during the operation of the lease of the rapid transit railroad. The work must begin within a few months, and be finished within three years.

Cost About \$85,000,000.

It is believed the road will cost the city about \$85,000,000 for construction. The money will be obtained by issuing bonds, and payments to the contractors will be made in installments, as sections of the road are completed. It is thought that about one-third of the \$85,000,000 will be

CARTER'S RICHES PROVED HIS GUILT.

So Attorney-General Griggs Reported to President McKinley.

NO HOPE AFTER THAT.

Defendant's Story of His Father-in-Law's Trust Discredited.

Washington, Oct. 5.—"In view of all the evidence, considering the improbability of his story, the failure to produce corroborative proof which was within his reach, the long continued possession of the large amount of securities which he admittedly purchased, and the collection and appropriation by himself of the interest coupons thereon, with various other considerations which tend to discredit the truth of his explanation, the conclusion is forced upon the mind that Captain Carter, during the years from 1892 to 1897, had enriched himself to a large degree in some manner not accounted for by his own testimony, and the irretrievable conclusion, therefore, is that the true explanation of this rapid accession of wealth is one that he could not safely make, and that it is to be accounted for only by accepting the theory that he participated in the fraudulent proceeds of the contracts under his charges."

"I am therefore led to the conclusion that the court-martial was justified in its finding of guilty upon the charges and specifications relating to the contracts of September, 1890, and that the finding and sentence of the court with respect thereto should be approved."

With these concluding words in his 8,000-word opinion on the Carter case, made public to-day, Attorney-General Griggs fastened guilt upon Captain Carter and influenced the President to sustain the verdict of the court-martial.

As to Captain Carter's rapid accession of wealth, the Attorney-General shows that in 1891 he was in receipt of a fixed income of only \$22,435.77 a month, his salary. Between 1891 and 1897 his annual personal expenditures increased from \$6,047.83 to \$29,611.67. The Attorney-General says:

"In 1892 Carter began to receive notably large deposits in the Union Trust Company in New York, where he kept an account in his own name, and also began to buy investment securities through brokers in New York."

In August, 1893, Captain Carter had in his personal securities of the par value of \$70,000, and of the market value of \$80,000, producing an annual income of \$4,400. In October, 1896, his holdings had increased to \$375,000, the value, the market value being \$463,000, producing an annual income of \$22,435.77. From October, 1895, to November, 1896, the amount of his holdings seemed to remain stationary. During that period there were only a few small payments made to the contractors at Savannah, probably not more than \$36,077.45.

"The possession of this large amount of securities, accumulated in so short a period, required from Captain Carter an explanation, and he attempted to give one. He testified that his father-in-law, Robert Westcott, owned the securities, and that he managed his finances, including the purchase and sale of his securities. In proof of this the accused produced powers of attorney executed by Mr. Westcott to him, giving to him unusually full authority."

The alleged donor had come upon the witness stand and corroborated the story it would probably have been sufficient, but he did not come. It is also noteworthy that Westcott, cancelled the power of attorney which Carter held almost immediately after the accused produced the powers of attorney executed by Mr. Westcott to him in the Fall of 1897."

The Attorney-General finds that Mr. Westcott dealt with Carter on the basis of the strict accountability to the last penny for everything Carter received his longings specifically to Mr. Westcott.

Stole "Old North's" Clapper.

Princeton, Oct. 5.—"Bill" Coulter, of Greensburg, Pa., a daring young fisherman, stole the clapper from "Old North's" bell last night by climbing up the lightning rod. He got the clapper, but was caught while he was on the roof. He is now in the city jail. This is the second clapper stolen within a week.

Unknown Disease Killing Indians.
San Francisco, Oct. 5.—Captain Bodish, of the steam whaler Beluga, who has just returned from the Arctic district, reports that some kind of a disease, like a pneumonia epidemic among the Indians, at Point Barrow, between August and September, killed three or four hundred, and at Cape Bathurst three natives died during the few hours the Beluga was there.

MISS GOULD TO FIGHT POLYGAMY.



Miss Helen Gould, a Foe to Mormonism.

She Will Attend a Meeting To-day to Protest Against the Admission to Congress of Brigham H. Roberts, of Utah.

Miss Helen Gould will attend to-day a meeting of women identified with a movement against Brigham H. Roberts, the Mormon Congressman-elect from the State of Utah.

The meeting will be held at No. 29 East Twenty-ninth street, at 3:30 o'clock under the auspices of Mrs. George B. Watts, president of the American Female Guardian Society and Home for the Friendless and it is expected that it will be largely attended.

Mrs. Watts has prepared a brief set of resolutions which all the women present will be asked to sign. The tenor of the resolutions will be that each woman signing them will pledge herself to use all her influence with the men she knows, including the purpose of exacting a promise from them that they will write individually to their Congressman asking him to protest against the Mormon member taking his seat.

Her Words to the Journal.

Miss Gould went to see the yacht race yesterday, and when she got home she was tired out and retired early. She found time, however, to send a line to the Journal to say that she is "heartily" grieved and interested against the polygamist Mr. Roberts.

Miss Gould had already said on the subject:

"I feel the principle of polygamy for which he stands strikes at the root of what is sacred and beautiful in our home life, and I am glad to lend what little influence I may have to oppose it."

Mrs. Watts said last night that she had been invited to say that it was the intention of the women who will be present at to-day's meeting to attack the evil of polygamy from its religious side.

Naturally a very strong attack on the practice of polygamy from a religious point of view could be made. But religion does not figure at all in the make-up of Congress; even a Buddhist could take his seat there.

A Legal Contention.

"It is, then, from the legal standpoint that we must make our fight. As women can do nothing beyond influencing men who as voters can do everything, our object is to get as many men as possible to write to their Congressmen and to get them to agree to protest against the Mormon Roberts. It is against the Constitution for two-thirds of the members present to protest against him, he cannot do so."

This would throw the matter into the courts, where we expect there will be no difficulty in showing that he had more than one wife and was in consequence a polygamist and a law breaker. Moreover

this same man, when in Washington as a Commissioner from Utah, swore that the practice of polygamy would no longer continue in that State at least. When he wanted another wife, however, he simply said that the law of God was greater than the law of man.

"I dread to think of the increasing powers of the Mormons. Already Mormon votes control four States, and many soon have control of two more, one of which is the Eastern State of Delaware. In the faith of the Mormons made more converts to their faith than the Congregationalists, the Baptists and two other denominations all together. Last year the Mormons sent out 1,300 missionaries."

Journal Began the Fight.

The fight against Roberts which Miss Gould now espouses so warmly was begun by the Journal nearly a year ago, and immediately after his election. At that time the Journal's utterances, both editorially and in its news columns, received the support of clergymen and prominent women everywhere.

The Journal also prepared an anti-polygamy petition to the Congress of the United States, which was mailed with great satisfaction, and obtained signatures from all classes. One phrase in the petition was as follows:

"We respectfully urge upon the members of Congress that the sense of morality of a great people revolts at the thought of permitting a defender of the turpitude associated with Mormonism, himself practicing the doctrine which that sect teaches, to have a voice in the shaping of the laws and destinies of this country."

RYE MILLIONAIRES WIN AN ANTI-TROLLEY FIGHT.

The millionaire residents of Rye-on-the-Sound, after two years of fighting in the courts, won a victory over the Portchester Street Railway Company, yesterday, when the Supreme Court decided that the company has no right to the streets on which its tracks are laid.

The Rye Protective Association, led by John E. Parsons, the Sugar Trust lawyer, fought against the line on the ground that its tracks would ruin coaching in Westchester. Nevertheless the company built its road through the principal streets to Rye Beach.

Now the Supreme Court says that the road on which the trolley tracks have been built were improved at private expense, and the company has no right to appropriate them without consent. The taxpayers threaten to tear up the tracks.

ASK COURT TO STOP A "NOISE FACTORY"

Members of the Country Club Made Ill by a Steam Organ.

THROG'S NECK RESORT.

Din Worst on Sunday--Justice Truax Reserves Decision.

The question whether a free-born American citizen may make all the noise he wants to in involved in legal proceedings brought in the Supreme Court. The settlement of the problem rests with Justice Truax.

Suit is brought against Frederick Lohbauer, proprietor of the Bay Villa Hotel at Throg's Neck by members of the Country Club at that place, who claim that the villa is operated as a noise producing factory, with all the latest appliances, including a merry-go-round, a brass band and a Trombone Club.

The plaintiffs are Mrs. Emily C. Potter and husband and Mrs. Laura B. Marsh and husband, who aver that they are suffering from nervous prostration, caused by the Lohbauer noise factory. They assert that all the patrons of the Villa have loud, discordant voices, that they shout and sing, beat drums and let off bombs at all hours.

"My clients' health has been wrecked," said C. E. Ingersoll, Jr., of the Country Club members. "Their physicians prescribe the most powerful tonics for them, but their effect is spoiled by the awful din."

He then made the most unkind comments about the Lohbauer steam organ, describing it as a whole lot of noise. The shouting gallery he spoke of as patronized by some of the worst shots in the country, who yelled at each other every time a mis was made, which was always when the crowd ran out of cartridges it let off fireworks until the small hours of the morning, and the Trombone Club went into action when the assembly could not make a noise in any other way.

Mr. Potter's testimony was to the effect that his wife was ill and the health of his youngest daughter was seriously affected. "The language," Mr. Potter testified, "is invariably worse on Sundays than on other days." Frederick S. Deindehl's evidence was to the same effect.

A certificate from Dr. J. W. Drogan said that the plaintiffs were ill because of the Lohbauer noises. He had advised them to leave the locality if they wanted to be restored to health, as no medicine availed while Lohbauer survived.

The attorney for Lohbauer denied that he created a nuisance. He held that there was a conspiracy to drive his client away and prevent him from earning an honest living.

"The pleasing, soothing music of the steam organ should not affect healthy nerves," said Lohbauer's counsel.

The defendant offered to bring all his noise-making machinery to court and let it off for the benefit of Justice Truax, but the latter declined, and, taking the papers, reserved decision.

BOY OF SIXTEEN IS AN EXPERT FORGER

Police Admire Young Isidore Einhorn's Work on Bogus Checks.

UNDONE BY RASHNESS.

Sends Another Lad to a Man Who Already Had Been Swindled.

Isidore Einhorn, sixteen years old, of No. 85 Avenue B, and James Applebaum, thirteen years old, of No. 185 Second street, were arrested last night charged with forgery. They will be arraigned this morning in the Yorkville Court. The complainant is Max Stark, who has a restaurant at No. 5 Second avenue.

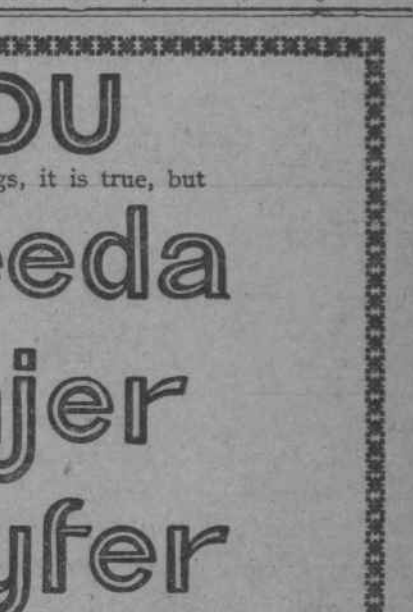
Stark says that on September 28 the Einhorn boy took a check for \$7, signed by his father, A. Einhorn, a furrier, on the East River National Bank, No. 682 Broadway, to him to be cashed. Stark gave the boy the money. Yesterday the check was returned to Stark marked "N. G."

Young Applebaum went into the restaurant last night with a check for \$5, signed "I. Kaufman," and asked Stark to cash it. At the East Fifth street station house Einhorn was asked if he had forged the checks. He replied:

"Yes, I did. My father caused me to do it. I used to run errands for him, but we had some trouble and he drove me from his house. I had to have some money, and this was the only way I could get it."

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quoted at such a large premium. "Can I have the pleasure of lending you a dollar?" "Certainly, sir, certainly," said the expert. "I notice that the Columbia started out wearing her mainmast jib and staysail. Why didn't she have her spinnaker boom out? In fact, why didn't she have half a dozen of them out? That's what I'd like to know."

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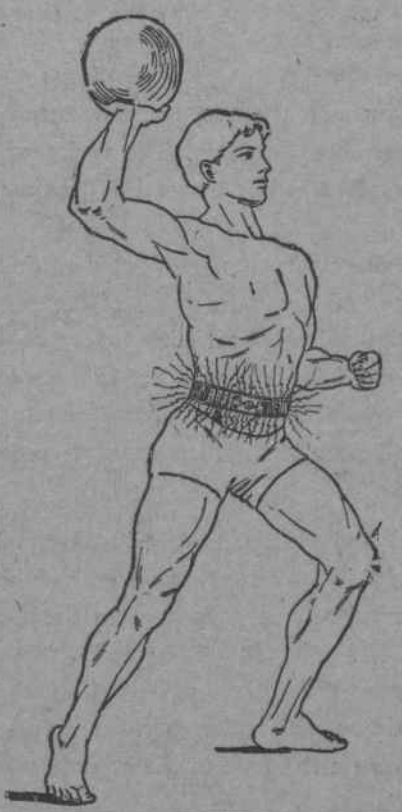
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